

required labels or placards, as appropriate, and shipping name when required. The marking must be on two opposing sides of a bulk packaging. (See § 172.302(b) of this subpart for size of markings on bulk packages.) When the words “Inhalation Hazard” appear on the label, as prescribed in §§ 172.416 and 172.429, or placard, as prescribed in §§ 172.540 and 172.555, the “Inhalation Hazard” marking is not required on the package.

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§ 172.316 Packagings containing materials classed as ORM-D.

(a) Each non-bulk packaging containing a material classed as ORM-D must be marked on at least one side or end with the ORM-D designation immediately following or below the proper shipping name of the material. The ORM designation must be placed within a rectangle that is approximately 6.3 mm (0.25 inches) larger on each side than the designation. The designation for ORM-D must be:

(1) ORM-D-AIR for an ORM-D that is prepared for air shipment and packaged in accordance with the provisions of § 173.27 of this subchapter.

(2) ORM-D for an ORM-D other than as described in paragraph (a)(1) of this section.

(b) When the ORM-D marking including the proper shipping name can not be affixed on the package surface, it may be on an attached tag.

(c) The marking ORM-D is the certification by the person offering the packaging for transportation that the material is properly described, classed, packaged, marked and labeled (when appropriate) and in proper condition for transportation according to the applicable regulations of this subchapter. This form of certification does not preclude the requirement for a certificate on a shipping paper when required by subpart C of this part.

[Amdt. 172–29, 41 FR 15996, Apr. 15, 1976, as amended by Amdt. 172–123, 55 FR 52592, Dec. 21, 1990; 56 FR 66254, Dec. 20, 1991]

§ 172.320 Explosive hazardous materials.

(a) Except as otherwise provided in paragraphs (b), (c), (d) and (e) of this section, each package containing a Class 1 material must be marked with

the EX-number for each substance, article or device contained therein.

(b) Except for fireworks approved in accordance with § 173.56(j) of this subchapter, a package of Class 1 materials may be marked, in lieu of the EX-number required by paragraph (a) of this section, with a national stock number issued by the Department of Defense or identifying information, such as a product code required by regulations for commercial explosives specified in 27 CFR part 55, if the national stock number or identifying information can be specifically associated with the EX-number assigned.

(c) When more than five different Class 1 materials are packed in the same package, the package may be marked with only five of the EX-numbers, national stock numbers, product codes, or combination thereof.

(d) The requirements of this section do not apply if the EX-number, product code or national stock number of each explosive item described under a proper shipping description is shown in association with the shipping description required by § 172.202(a) of this part. Product codes and national stock numbers must be traceable to the specific EX-number assigned by the Associate Administrator for Hazardous Materials Safety.

(e) The requirements of this section do not apply to the following Class 1 materials:

(1) Those being shipped to a testing agency in accordance with § 173.56(d) of this subchapter;

(2) Those being shipped in accordance with § 173.56(e) of this subchapter, for the purposes of developmental testing;

(3) Those which meet the requirements of § 173.56(h) of this subchapter and therefore are not subject to the approval process of § 173.56 of this subchapter;

(4) Until October 1, 1993, those which are shipped under § 171.19 of this subchapter; and

(5) Those that are transported in accordance with § 173.56(c)(2) of this subchapter and, therefore, are covered by a national security classification currently in effect.

[Amdt. 172–123, 56 FR 66254, Dec. 20, 1991, as amended by Amdt. 172–139, 59 FR 67487, Dec. 29, 1994]